

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mohan KALKUNTE

Application No.: 09/877,040

Filed: June 11, 2001

For: GIGABIT SWITCH SUPPORTING MULTIPLE STACKING  
CONFIGURATIONS

TERMINAL DISCLAIMER UNDER 37 CFR 321(c)

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, Broadcom Corporation, having its place of business at 16215 Alton Parkway, Irvine California 92619-7013, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. 09/877,040, filed June 11, 2001, for GIGABIT SWITCH SUPPORTING MULTIPLE STACKING CONFIGURATIONS, the assignment for the application being recorded in the Patent and Trademark Office on June 11, 2001 at Reel 011893, Frame 0775. Petitioner is also the assignee of all right, title, and interest in and to U. S. Patent Application Serial No. 09/877,010, filed June 11, 2001, for GIGABIT SWITCH WITH FRAME FORWARDING AND ADDRESS LEARNING the assignment for this application being recorded in the Patent and Trademark Office on June 11, 2001 at Reel 011892, Frame 0162.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on



Art Unit: 2661

Examiner: Tri H. Phan

Attorney Dkt. No.: 58268.00071

application Serial No. 09/877,040, which would extend beyond the expiration date of any patent granted on application Serial No. 09/877,010 when issued, and hereby agrees that any patent so granted on application Serial No. 09/877,040, shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to any patent granted on application Serial No. 09/877,010, this agreement to run with any patent granted on application Serial No. 09/877,040, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on application Serial No. 09/877,010 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, Broadcom Corporation, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

**Broadcom Corporation**

Date: January 12, 2005

By: 

(Signature)

**Dee Henderson**

Manager, Intellectual Property Portfolio

(Name)

(Title)